

# EXHIBIT E

- A **public domain** photograph of Winston Churchill combined with the word “Commitment” and the quotation “Never, never, never give up.”
- An outline map of South Carolina with a blue heart in the center of the design featuring the white crescent moon and white palmetto tree from the state flag.

Specific categories of **literary works**, **works of the performing arts**, and **works of the visual arts** that contain a *de minimis* amount of authorship are discussed in **Chapters 700, 800**, and **900**.

### **313.4(C) Words and Short Phrases**

Words and short phrases, such as names, titles, and slogans, are not **copyrightable** because they contain a *de minimis* amount of authorship. See **37 C.F.R. § 202.1(a)**. The U.S. Copyright Office cannot register individual words or brief combinations of words, even if the word or short phrase is novel or distinctive or lends itself to a play on words. *See Kitchens of Sara Lee, Inc. v. Nifty Foods Corp.*, 266 F.2d 541, 544 (2d Cir. 1959) (concluding that the Office’s regulation barring the registration of short phrases is “a fair summary of the law”).

*Examples:*

- The name of an individual (including pseudonyms, pen names, or stage names).
- The name of a business or organization.
- The name of a band or performing group.
- The name of a product or service.
- A domain name or URL (*e.g.*, www.copyright.gov).
- The title or subtitle of a work of authorship.
- The name of a character.
- Catchwords, catchphrases, mottoes, slogans, or other short expressions.

For the same reasons, short musical phrases consisting of only a few musical notes standing alone are not copyrightable and cannot be registered with the U.S. Copyright Office, even if the phrase is novel or distinctive. See **37 C.F.R. § 202.1(a)**.

*Examples:*

- Clock chimes.
- “Mi do re sol, sol re mi do.”
- A trademark consisting of three musical notes.

Similarly, individual numbers, letters, sounds, and short phrases consisting of such elements are not copyrightable, because they do not contain sufficient creative authorship. *Id.*